

TOWN OF DAVIE

TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark Kutney, AICP, Development Services Director / (954) 797-1101
Prepared by Roberta Moore, Planner I

SUBJECT: Resolution
DG 12-5-03 Town of Davie Oakes Road Fire Station, 4491 Oakes Road /
Generally located west of State Road 7 / 441, east of Burris Road.

AFFECTED DISTRICT: District 1

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING AN AMENDMENT TO THE RESTRICTIVE NOTE OF THE "Y.A.F. PLAT", AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF: The petitioner is requesting to amend the Restrictive Plat Note to allow a 20,000 square foot Fire / Rescue Station, 4,800 square feet of office and 195,000 square feet of industrial use.

The Town of Davie recently purchased the subject parcel and it is proposed to be the site of the Town's new Fire / Rescue Station. Based on this, an amendment to the restrictive note for the "Y.A.F. Plat" is required to allow the 20,000 square feet Fire / Rescue Station, 4,800 square feet of office and 195,000 square feet of industrial use.

It is staff's understanding that Broward County has no objection to the requested amendment.

Staff finds that the proposed amendment is consistent with the existing and proposed use of the subject site.

PREVIOUS ACTIONS: None

CONCURRENCES: None

FISCAL IMPACT: N/A

RECOMMENDATION: Staff finds the subject application complete and suitable for transmittal to Town Council for further consideration.

Attachments: Resolution, Planning Report, Plat, Future Land Use Map, Subject Site, Zoning and Aerial Map

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING AN AMENDMENT TO THE RESTRICTIVE NOTE OF THE "Y.A.F. PLAT", AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the subdivision plat known as the "Y.A.F. Plat" was recorded in the public records of Broward County in Plat Book 125, Page 26; and

WHEREAS, the owners desire to revise the restrictive note associated with said plat; and

WHEREAS, Broward County requires that the Town of Davie concur with this revision prior to a review of the proposed revision by Broward County Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The Town Council of the Town of Davie does hereby approve of the proposed revision to the Restrictive Note shown on the "Y.A.F. Plat". The proposed revision being specifically described on the planning report attached hereto as Exhibit "A".

SECTION 2. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2004.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2004.

Application: DG 12-5-03/Town of Davie Oakes Road Fire Station

Revisions:

Exhibit "A"

Original Report Date: 1/02/04

TOWN OF DAVIE
Development Services Department
Planning and Zoning Division
Staff Report and Recommendation



Applicant Information

Owner / Petitioner:

Name: Town of Davie
Address: 6591 Orange Drive
City: Davie, FL 33314
Phone: (954) 797-1000

Background Information

Application History: No deferrals have been requested.

Application Request: Petitioner is requesting to amend the Restrictive Note to allow the Oakes Road Fire / Rescue Station.

From: "This plat is restricted to 4,800 square feet of office and 2215,000 square feet of industrial use."

To: "This plat is restricted to 20,000 square feet of Fire / Rescue Station, 4,800 square feet of office and 195,000 square feet of industrial use."

Address/Location: 4491 Oakes Road/ Generally located west of State Road 7 / 441, east of Burris Road.

Future Land Use Plan Designation: Industrial

Zoning: M-3, Intense Manufacturing and Industrial District (County) and B-3, Intense Commercial Business District (County)

Existing Use: Vacant, United Rentals, Self Storage, and G. S. Equipment

Proposed Use: Town of Davie Fire / Rescue Station, United Rentals, Self Storage, and G. S. Equipment

Parcel Size: 1.1292 acres (49,188 square feet)

Surrounding Uses:

North: United Rentals, Self Storage
South: Lake (Owned by FDOT)
East: State Road 7 / 441
West: G. S. Equipment

Land Use Plan Designation:

Industrial
Industrial
Transportation
Industrial

Surrounding Zoning:

North: M-3, Intense Manufacturing and Industrial District (County)
South: M-3, Planned Industrial Park District (Hacienda Village)
East: B-3, Intense Commercial Business District (County)
West: M-3, Planned Industrial Park District (Hacienda Village)

Zoning History

Related Zoning History: None

Previous Request on same property: The applicant has submitted a rezoning (ZB 12-3-03) and a Vacation of Right-of-Way application (VA 12-2-03) to run concurrently with this application. The rezoning application proposes to rezone the subject parcel from M-3, Intense Manufacturing and Industrial District (County) and B-3, Intense Commercial Business District (County) to CF, Community Facilities. The vacation of right-of-way application proposes to vacate a 35-foot section of right-of-way of Oakes Road between Oakes Road and State Road 7 / 441.

Town Council approved on September 6, 2001, Resolution 2001-232, to amend the restrictive note on the "Y.A.F. Plat" from 4,800 square feet of office and 215,000 square feet of industrial use to 25,000 square feet of industrial use across the plat; and 16,000 square feet of office use on Parcel "A"; 10,000 square feet of industrial use on Parcel "B"; and 140,000 square feet of industrial use and single 2-bedroom garden apartment on Parcel "C". Broward County Commission approved the item (Item Number 46) on November 6, 2001. The plat note amendment was not recorded.

Town Council approved a plat note amendment by Resolution Number 91-186 on August 7, 1991. The approval was for the amendment of the restrictive note on the Y.A.F. Plat to permit a watchman's quarters on Parcel "C". However, this request was never recorded.

Town Council approved a subdivision plat by Resolution Number 85-123 on July 17, 1985. The Plat was recorded in the public records of Broward County, Plat Book 125, Page 26 on November 1985.

Applicable Codes and Ordinances

Section 12-322 Application of concurrency monitoring system.
(A) Development Subject to Adequacy Determination

- (1) For plats or replats, or for site plans or building permits where the property is unplatted or was platted, with plat approval received before March 20, 1979, all development of previously vacant land, except that specified in subsection (A)(3) below, shall be subject to adequacy determination unless a current site plan is in effect for the development.
- (2) For plats or replats, or for site plans or building permits where the property is unplatted or was platted, with plat approval received before March 20, 1979, all development of previously improved lands shall be subject to an adequacy determination for the additional trips that equals the difference between the trips to be generated by the proposed development and the trips to be generated by any existing development. Existing development shall be construed to include previous development demolished no earlier than eighteen (18) months previous to the date the final plat application is submitted, or the application for a site plan or building permit approval is submitted.
- 3) For a replat, or an amendment to a note on a plat, or a requirement to place a note on a plat, where property was platted after March 20, 1979, an adequacy determination shall be required for only those additional trips that equal the difference between the previous plat and the replat, or the previous note and the proposed amendment to the note, or the development approved by the county commission at the time of plat approval and the proposed note to be placed on the plat.

Sec. 12-360. Purposes of Divisions 1 and 2

- (A) The purpose of Divisions 1 and 2 is to provide rules for exemptions and other guidelines related to the platting requirements of the Town of Davie Comprehensive Plan. The requirements of this chapter are adopted for the following purposes:
- (1) To assist in orderly and efficient development of the town;
 - (2) To promote the health, safety, morals and general welfare of the residents of the town;
 - (3) To ensure conformance of subdivision plats with the effective land use plan, zoning requirements and public improvement plans of the town;
 - (4) To ensure coordination of development of related areas of the town in contiguous territory;
 - (5) To establish uniform standards for the design of subdivision plats and for minimum subdivision improvements;
 - (6) To provide regular procedures for the uniform and expeditious processing and approval of subdivision plats by the proper officials;
 - (7) To assure cooperation and greater convenience for subdividers.

The Broward County Land Development Code requires Delegation Requests for plat note revisions.

Comprehensive Plan Considerations

Planning Area: The subject property falls within Planning Area 6. Planning Area 6 includes lands located south of State Road 84, east of University Drive and north of Nova Drive, together with lands located east of the Florida Turnpike and west of State Road 7, south of State Road 84 and north of the south Town limits. The majority of this planning area is industrially zoned and land used plan designated. There are small commercial parcels along the State Road 7 corridor with one large retail center being located on the southeast corner of University Drive and State Road 84. Commercial flexibility has been applied to lands designated Industrial on Nova Drive.

Broward County Land Use Plan: The subject site falls within Flexibility Zone 58.

Broward County Land Development Code: The Broward County Land Development Code requires that any changes or waivers to requirements of development permit applications be reviewed and approved or disapproved by the municipality with final approval by Broward County Commission.

Applicable Goals, Objectives & Policies: *Future Land Use Plan, Objective 5: Consistency of Development with Comprehensive Plan, Policy 5-2:* The (re)zoning, (re)planning, and site planning of land shall be in compliance with the density ranges shown on the Davie Future Land Use Plan map and the applicable Future Land Use Designation provisions as contained in the Permitted Uses portion of the Implementation Section.

Future Land Use Plan, Objective 17: Land Use Compatibility and Community Appearance, Policy 17-3: Each development proposal shall be reviewed with respect to its compatibility with adjacent existing and planned uses.

Future Land Use Plan, Objective 17: Land Use Compatibility and Community Appearance, Policy 17-6: Town land development regulations shall address incompatible land uses through requirements such as buffering and setbacks.

Future Land Use Plan, Objective 17: Land Use Compatibility and Community Appearance, Policy 17-7: Adopted land development regulations shall continue to set forth setbacks or separation regulations, landscaping requirements, and minimum open space criteria to enhance living and working environments.

The subject application complies with the goals and objectives of the Comprehensive Plan.

Significant Development Review Agency Comments

Broward County Development Management Division is the County lead agency in assessing the impact of development through the plat and/or delegation request process. Broward

County requires that the petitioner request to amend or revise the level of approved development on the plat. Such requests must be approved by the local municipality and County Commission, and then subsequently recorded against the plat. As part of the delegation request process, the property would be reviewed for traffic concurrency and assessed any additional traffic impact fees, or mitigation measures, as applicable.

Application Details and Staff Analysis

The Town of Davie recently purchased the subject parcel and it is proposed to be the site of the Town's new Fire / Rescue Station. Based on this, an amendment to the restrictive note for the "Y.A.F. Plat" is required to allow the 20,000 square feet Fire / Rescue Station, 4,800 square feet of office and 195,000 square feet of industrial use.

The Y.A.F. Plat is located west of State Road 7 / 441, east of Burris Road on the north side of Oakes Road. United Rentals, Self Storage and G. S. Equipment are currently located on the subject plat. There is one vacant parcel left within this plat and it is owned by the Town of Davie. This vacant parcel is the site of the proposed Fire / Rescue Station, the entire plat will be considered built out once the property is built.

It is staff's understanding that Broward County has no objection to the requested amendment.

Staff finds that the proposed amendment is consistent with the existing and proposed use of the subject site.

Findings of Fact

The applicant has requested to amend the plat note to allow a 20,000 square foot Fire / Rescue Station on the subject site. The ability to reflect the actual square footage will assist Broward County in its assessment of future traffic generated by this project in combination with other projects in the vicinity. In addition, the property owner will only be required to pay for the exact impacts that the proposed development will generate. The request is consistent with both the Town of Davie and Broward County Comprehensive Plan and Land Development Regulations.

Staff Recommendation

Staff finds the subject application complete and suitable for transmittal to Town Council for further consideration.

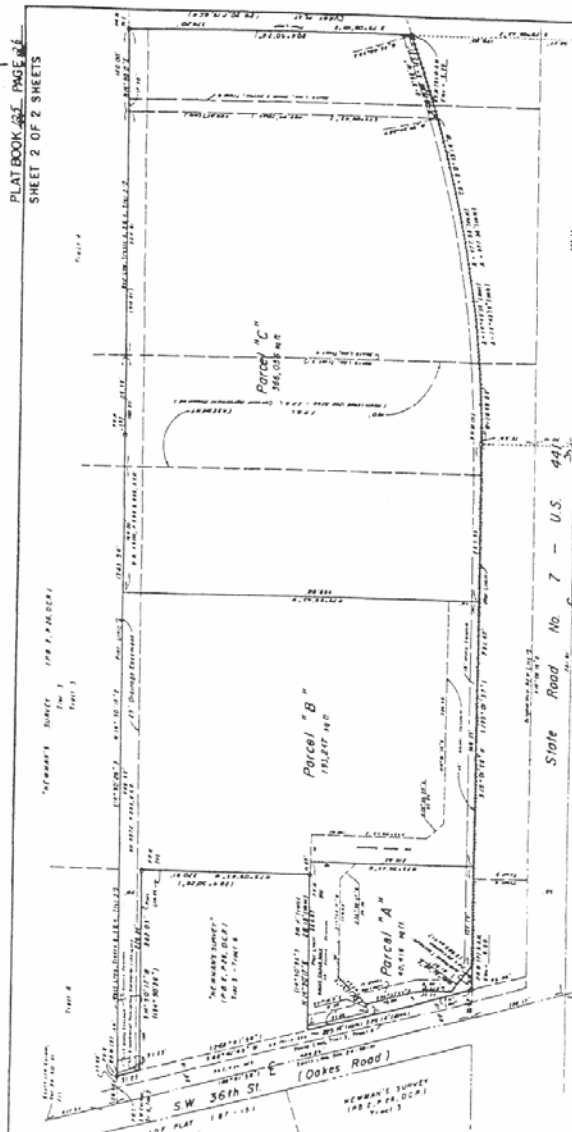
Exhibits

1. Resolution
2. Plat
3. Future Land Use Map

4. Subject Site, Zoning and Aerial Map

Prepared by: _____

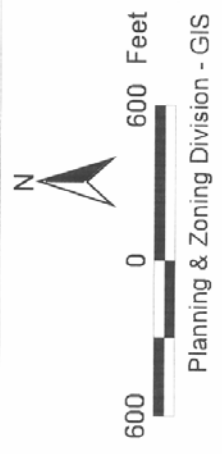
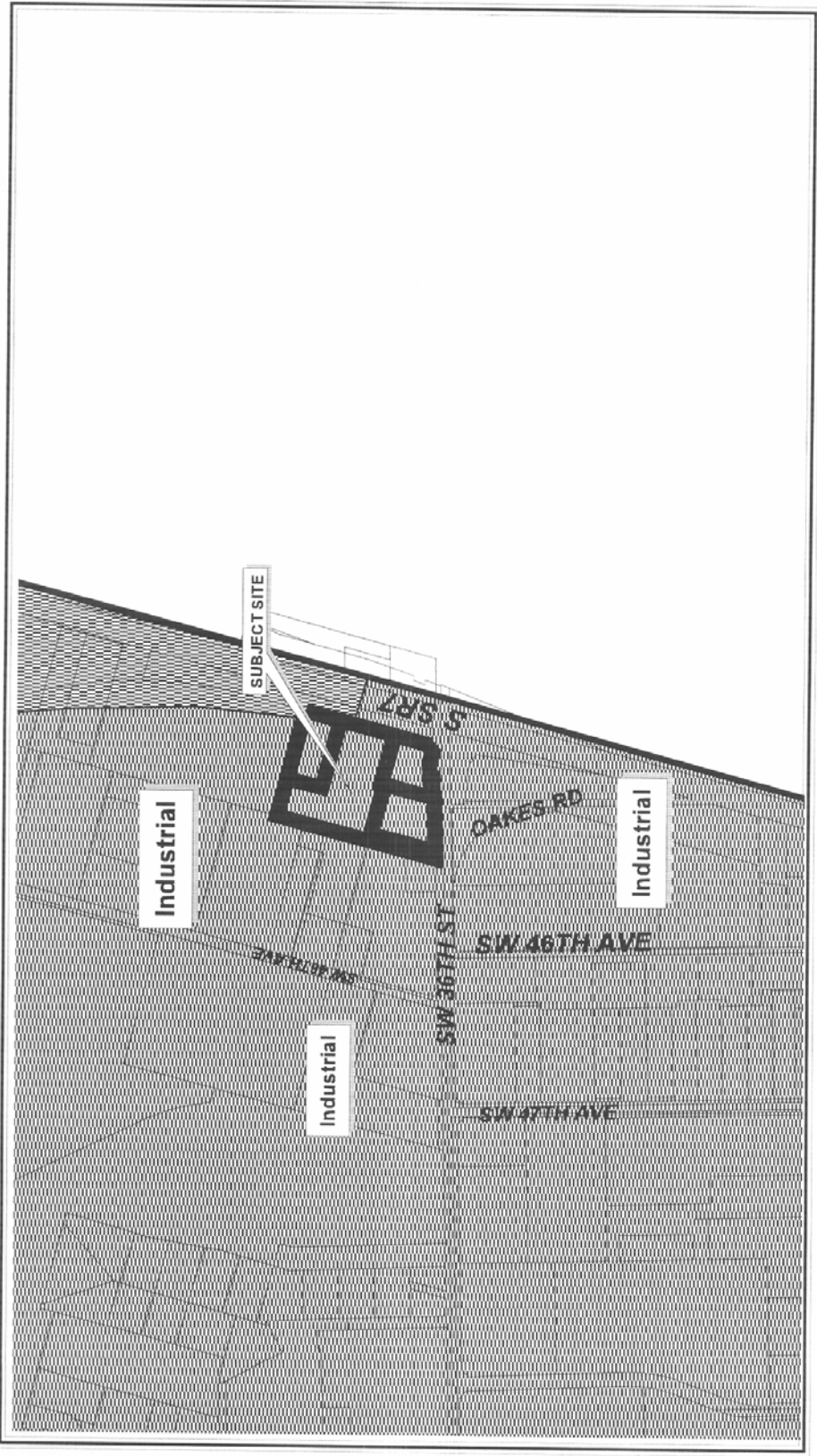
Reviewed by: _____



Tract	Area (Acres)	Area (Sq. Ft.)	Area (Sq. Yds.)
Parcel A	1.1111	77,440	8,488
Parcel B	1.1111	77,440	8,488
Parcel C	1.1111	77,440	8,488
Total	3.3333	232,320	25,464

NOTES
 1. This plat is a true and correct copy of the original survey as shown on the ground.
 2. The survey was made by the undersigned on the 1st day of May, 1900.
 3. The survey was made in accordance with the provisions of the Act of Congress, approved March 3, 1879, and the Act of Congress, approved March 3, 1893.
 4. The survey was made in accordance with the provisions of the Act of Congress, approved March 3, 1879, and the Act of Congress, approved March 3, 1893.
 5. The survey was made in accordance with the provisions of the Act of Congress, approved March 3, 1879, and the Act of Congress, approved March 3, 1893.

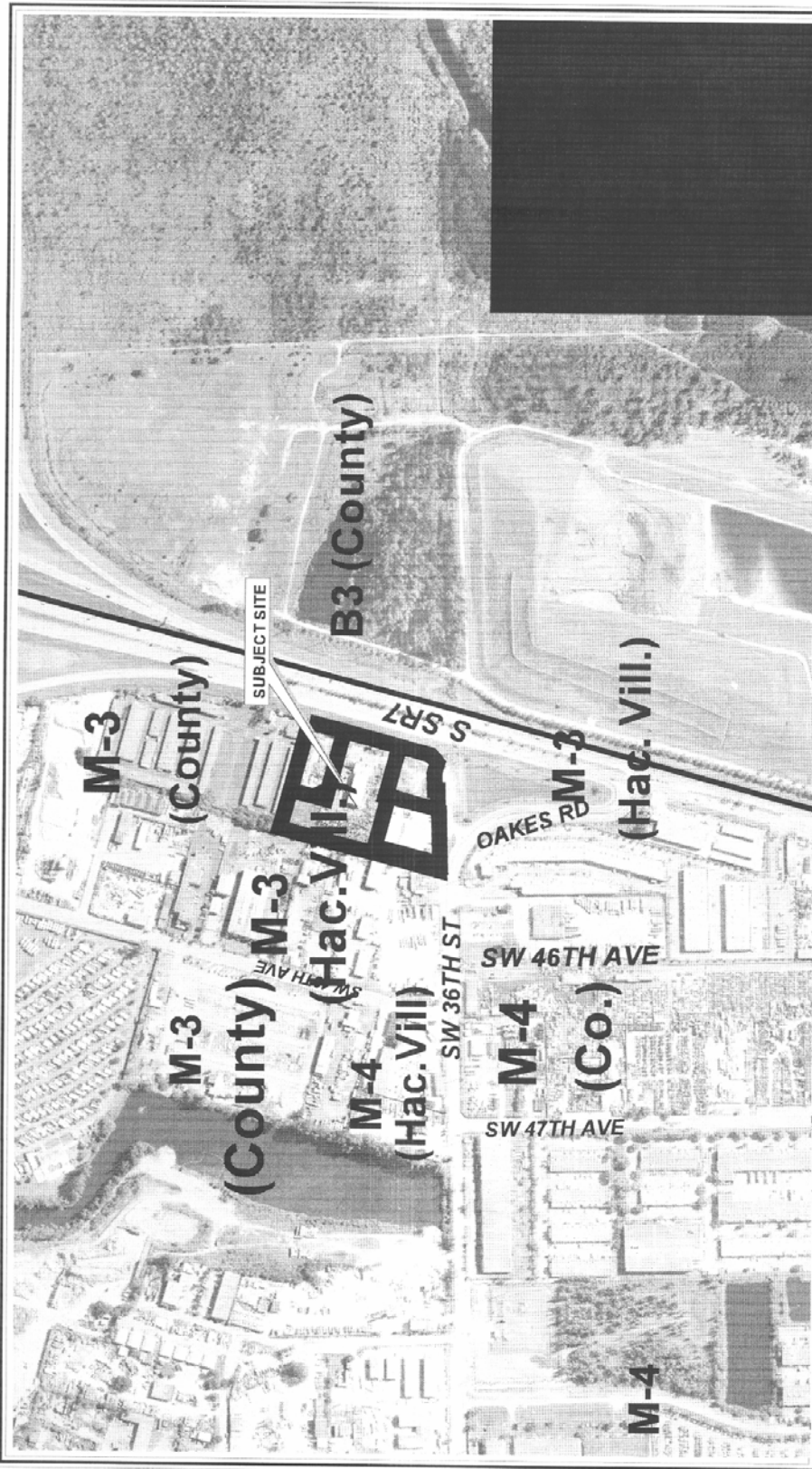
"Y.A.F. PLAT"
 A RESUBDIVISION OF PORTIONS OF TRACTS 4, 5, 6, TIER 3,
 OF SECTION 24, TOWNSHIP 50 SOUTH, RANGE 41 EAST,
 "NEWMAN'S SURVEY" (P.B. 2, P. 26, D.C.R.)
 TOWN OF MAINE, BROWARD COUNTY, FLORIDA



DELEGATION REQUEST
DG 12-5-03
Future Land Use Map

Prepared By: rkm
 Date Prepared: 1/05/04





DELEGATION REQUEST **DG 12-5-03** **Zoning and Aerial Map**

Prepared By: rkm
Date Prepared: 1/05/04

